

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

BRISHAUNA KELLY,

Plaintiff

v.

LV METROPOLITAN POLICE DEPT., et al.,

Defendants

Case No. 2:25-cv-00658-JAD-MDC

**ORDER**

State prisoner Brishauna Kelly brings this civil-rights action under 42 U.S.C. § 1983 to redress constitutional violations that she allegedly suffered during her arrest by Las Vegas Metropolitan Police Department officers and subsequent detention at Clark County Detention Center. (ECF No. 1-1). Plaintiff filed an application to proceed *in forma pauperis*, but her application is not complete because she failed to include a financial certificate and an inmate trust fund account statement for the previous six-month period with it. (See ECF No. 1). The Court will deny Plaintiff's application without prejudice and give her the opportunity to correct this deficiency **by July 28, 2025**.

**I. DISCUSSION**

The United States District Court for the District of Nevada must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). As of December 1, 2023, the fee for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55 administrative fee. See 28 U.S.C. § 1914(b). "Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*." Nev. Loc. R. Prac. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the Court's approved form, that is properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court's approved form, that is properly signed by both the inmate and a prison or jail official; and (3) a copy of the

1 inmate's prison or jail trust fund account statement for the previous six-month  
2 period. See 28 U.S.C. § 1915(a)(1), (2); Nev. Loc. R. Prac. LSR 1-2. *In forma pauperis*  
3 status does not relieve an inmate of his or her obligation to pay the filing fee, it just means  
4 that the inmate can pay the fee in installments. See 28 U.S.C. § 1915(b).

5 **II. CONCLUSION**

6 It is therefore ordered that the application to proceed *in forma pauperis* (ECF No. 1)  
7 is denied without prejudice.

8 It is further ordered that Plaintiff has **until July 28, 2025**, to either pay the full \$405  
9 filing fee or file a fully complete application to proceed *in forma pauperis* with all three of  
10 the following required documents:

11 (i) a completed application with the inmate's two signatures on page 3,

12 (ii) a completed financial certificate that is signed both by the inmate and  
13 the prison or jail official, and

14 (iii) a copy of the inmate's trust fund account statement for the previous six-  
15 month period.

16 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if  
17 she fails to timely comply with this order. A dismissal without prejudice allows Plaintiff to  
18 refile the case with the Court, under a new case number, when she can file a complete  
19 application to proceed *in forma pauperis* or pay the required filing fee.

20 The Clerk of the Court is directed to send Plaintiff this Court's approved form  
21 application to proceed *in forma pauperis* for an inmate with instructions.

22  
23 DATED: May 28, 2025

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26 Hon. Maximiliano D. Couvillier III  
27 United States Magistrate Judge  
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